

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

:
Plaintiff,

- v. -

DANIEL B. KARRON,

:
Defendant.

:
08 Civ. 10223 (NRB) (DFE)

:
NOTICE TO PRO SE LITIGANT
WHO OPPOSES A MOTION FOR
SUMMARY JUDGMENT

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Plaintiff the United States of America has moved for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. This means that the plaintiff has asked the court to decide this case without a trial, based on written materials, including affidavits, submitted in support of the motion. **THE RELIEF REQUESTED BY PLAINTIFF MAY BE GRANTED WITHOUT A TRIAL IF YOU DO NOT RESPOND TO THIS MOTION** by filing sworn affidavits or other papers as required by Rule 56(e) of the Federal Rules of Civil Procedure and by Local Rule 56.1. An affidavit is a sworn statement of fact based on personal knowledge that would be admissible in evidence at trial. The full text of Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1 is attached.

In short, Rule 56 provides that you may NOT oppose summary judgment simply by relying upon your answer. Rather, you must submit evidence, such as witness statements or documents, countering the facts asserted by the plaintiff and raising issues of fact for trial. Any witness statements must be in the form of affidavits. You may submit your own affidavit and/or the affidavit of others. You may submit affidavits that were prepared specifically in response to plaintiff's motion for summary judgment.

If you do not respond to the motion for summary judgment on time with affidavits or documentary evidence contradicting the material facts asserted by the plaintiff, the court may accept plaintiff's factual assertions as true. Judgment may then be entered in plaintiff's favor without a trial.

If you have any questions you may direct them to the Pro Se Office.

Dated: June 18, 2010
New York, New York

Respectfully submitted,

PREET BHARARA
United States Attorney

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Defendant, *pro se*